



PATENT

DOCKET NO.: 19603/4292 (CRF D-3099-03)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Darwin et al.	)	Examiner:
			)	William W. Moore
Serial No.	:	10/730,555	)	
			)	Art Unit:
Cnfrm. No.	:	3247	)	1656
			)	
Filed	:	December 8, 2003	)	
			)	
For	:	MYCOBACTERIUM TUBERCULOSIS	)	
		(MTB) TARGETS FOR ANTIBIOTIC	)	
		THERAPY	)	

NOTICE OF APPEAL  
AND  
REQUEST FOR THREE-MONTH EXTENSION OF TIME

## Mail Stop: AF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

10/31/2006 HDEMESS1 00000055 10730555

02 FC:2253

510.00 OP

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Primary Examiner's decision dated April 27, 2006, finally rejecting claims 1, 2, 12-20, 63-68, and 74-87.

Applicants hereby request an extension of time of three months from the due date of July 27, 2006.

Enclosed is a check in the amount of \$760 which covers the \$250 cost of the appeal fee and the \$510 cost of the extension of time fee.

Please charge any additional fees which may be required or credit any overpayment to Deposit Account No. 14-1138. A duplicate copy of this form is attached.

10/31/2006 HDEMESS1 00000055 10730555

01 FC:2401

250.00 OP

Dated: October 27, 2006NIXON PEABODY LLP  
Clinton Square, P. O. Box 31051  
Rochester, New York 14603-1051  
Telephone: (585) 263-1304  
Facsimile: (585) 263-1600

Respectfully submitted,

Michael L. Goldman  
Registration No. 30,727

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or being facsimile transmitted to the USPTO at (571) 273-8300.

October 27, 2006

Date

Signature

Sherri A. Moscato

Typed or printed name